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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,300	08/26/2003	Eunhyung Kim	Q76059	2617

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EXAMINER

LY, CHEYNE D

ART UNIT PAPER NUMBER

2168

DATE MAILED: 03/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/647,300	KIM ET AL.	
	Examiner	Art Unit	
	Cheyne D. Ly	2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☒ Claim(s) 10,11 and 18-20 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/23/05; 8/26/03</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

1. Claims 1-20 are examined on the merits.

IDS

2. The IDS, file July 22, 2005, has been considered. The IDS, filed August 26, 2003, has been lined through because the reference has been duplicated on the considered IDS, filed July 22, 2005.

Claim Objections

3. Claims 10, 11, and 18-20 are objected to because of the use of quotation marks surrounding certain phrases or words. For example, claim 10, line 2, recites the Edit Album in quotation marks which is improper. Appropriate correction is required.

CLAIM REJECTIONS - 35 U.S.C. § 112, SECOND PARAGRAPH

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 6, 7, and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Claims 6, lines 3 and 5, recites the limitation of "relevant application" wherein the metes and bounds of said claim is not clear. The limitation "relevant" is vague and indefinite due to lacking any metes and bounds as to what suitability characteristic is being evaluated in order to compare to less suitable attributes so as to evaluate what is "relevant." The same issue is present in claim 14. Claim 7 is rejected for being dependent from claim 6.

CLAIM REJECTIONS - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-3, 5-7, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Fernandez (1998).
9. In regard to claim 1, Fernandez discloses a media file management system for a home media center (page 32-33, Jet-Audio for Windows section, Figures 2-11, and page 34, Figure 2-12), comprising:
- a. A control signal input unit that receives at least one control signal transmitted from an input device to control operations (pages 86-88, Figure 4-18) of the home media center (page 32-33, Jet-Audio for Windows section, Figures 2-11, and page 34, Figure 2-12); and
 - b. A media file management unit that creates a search window that displays media files to be searched (pages 68-69, Figures 4-5, 4-6, and 4-8) and an edit window that displays a media content file to be edited, when the media file is required to be edited, and searching and managing the media files through the search window or the edit window in accordance with the at least one control signal (pages 263-270).

10. In regard to claim 2, a memory unit that stores the media file edited by the media file management unit (page 269, Undo, reverting, and saving section); and a display driving unit that generates displayable results of the editing of the media file by the media file management unit (page 265, Figures 12-5 and 12-6, page 266, Figure 12-7, and page 268, Figure 12-8).
11. In regard to claim 3, an interface unit that accesses media files stored in another information appliance (page 67, All the other sounds on your hard drive section). It is noted that the hard drive represents the “another information appliance” from the CD player.
12. In regard to claim 5, the media files are album files containing music files (page 34, How to create an album section).
13. In regard to claim 6, the media file management unit comprises an application driving unit that drives a relevant application according to a type of media file selected (page 35, item b.), and manages the media file through the relevant application (page 32-33, Jet-Audio for Windows section, Figures 2-11, and page 34, Figure 2-12); an edit window creation unit that creates the search window (pages 68-69, Figures 4-5, 4-6, 4-8) or the edit window (pages 263-270); and a media file search unit that searches for media files stored in at least one of the memory unit and another information appliance (pages 68-69, Figures 4-5, 4-6, 4-8).
14. In regard to claim 7, the application driving unit causes paths of the media files searched by the media file search unit to be displayed in the search window (pages 68-69, Figures 4-5 and 4-6).

15. In regard to claim 20, Fernandez discloses a computer readable medium configured to store a set of instructions for performing media file management for a home media center (pages 293, Appendix A), said instructions comprising:

- a. Creating one of a search window that displays a plurality of media files to be searched (pages 68-69, Figures 4-5, 4-6, and 4-8), and an edit window that displays a media file to be edited (page 261, Figure 12-3) from said plurality of media files;
- b. Selecting a file edit command for a selected one of the media files displayed in the search window (page 259, last paragraph); and
- c. In the edit window, displaying results of the execution of the file edit command for the selected media files (page 261, Figure 12-3),
- d. Specific to the limitations of “a user selects a..command...,” the limitations have been construed as optional limitations and are performed only when the command is selected. Alternative interpretation is that the “copying” and “moving” are not performed when the command are not selected; therefore, not required. For the instant rejection, claim 20 has been interpreted as the “copying” and “moving” are not required.

16. Claims 1-6 and 8-20 are rejected under 35 U.S.C. 102(a) as being anticipated by Lok et al. (US 20020129036A1) (Lok hereafter).

17. In regard to claim 1, Lok discloses a media file management system for a home media center (page 2, [0022]), comprising:

- a. A control signal input unit that receives at least one control signal transmitted from an input device to control operations (page 2, [0043] and page 7, [0152]-[0158]) of the home media center (page 2, [0023]-[0028]); and
 - b. A media file management unit that creates a search window that displays media files to be searched (page 6, [0102]) and an edit window that displays a media content file to be edited, when the media file is required to be edited, and searching and managing the media files through the search window or the edit window in accordance with the at least one control signal (page 5, [0088]).
18. In regard to claim 2, a memory unit that stores the media file edited by the media file management unit (page 2, [0022]); and a display driving unit that generates displayable results of the editing of the media file by the media file management unit (pages 4-5, [0081]-[0086]).
19. In regard to claim 3, an interface unit that accesses media files stored in another information appliance (page 2, [0036]).
20. In regard to claim 4, the at least one control signal received by the control input unit is output by an input device with a predetermined universal remote control function (pages 2-3, [0043]-[0046]).
21. In regard to claim 5, the media files are album files containing music files (pages 4-5, [0086]).
22. In regard to claim 6, the media file management unit comprises an application driving unit that drives a relevant application according to a type of media file selected (pages 2-4, [0033]-[0072]), and manages the media file through the relevant application (page 7,

[0152]-[0158]); an edit window creation unit that creates the search window (page 6, [0102]) or the edit window (page 4, [0083]-[0086]); and a media file search unit that searches for media files stored in at least one of the memory unit and another information appliance (page 6, [0101]-[0103]).

23. In regard to claim 8, the media file management unit causes results of the execution of a file edit command for a media file selected in the search window (page 4, [0086] and page 6, [0102]) to be displayed in the edit window (page 6, [0101]).
24. In regard to claim 9, the media file management unit causes results of the execution of a file edit command for a media file selected in the edit window (page 5, [0088]-0093) to be displayed in the search window (page 6, [0101]-[0102]).
25. In regard to claim 10, the file edit command includes a "Delete" command (page 5, lines 4-6).
26. In regard to claim 11, the limitations of "copies" and "moves" have been interpreted as optional limitations because they are performed only when the command is selected. Alternative interpretation is that the "copies" and "moves" are not performed if the command are not selected; therefore, not required. For the instant rejection, claim 11 has been interpreted as the "copying" and "moving" are not selected; therefore, not required. Therefore, the disclosure cited above anticipates the invention embodied by claim 11.
27. In regard to claims 12-20, Lok discloses a method (claim 1) and computer readable medium (page 4, Table 3) directed to a media file management unit for a home media center as cited above.

CONCLUSION

28. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- a. Ludwig et al. US006237025B1
- b. Pietropaolo et al. US006351765B1

29. Patent applicants with problems or questions regarding electronic images that can be viewed in the Patent Application Information Retrieval system (PAIR) can now contact the USPTO's Patent Electronic Business Center (Patent EBC) for assistance. Representatives are available to answer your questions daily from 6 am to midnight (EST). The toll free number is (866) 217-9197. When calling please have your application serial or patent number, the type of document you are having an image problem with, the number of pages and the specific nature of the problem. The Patent Electronic Business Center will notify applicants of the resolution of the problem within 5-7 business days. Applicants can also check PAIR to confirm that the problem has been corrected. The USPTO's Patent Electronic Business Center is a complete service center supporting all patent business on the Internet. The USPTO's PAIR system provides Internet-based access to patent application status and history information. It also enables applicants to view the scanned images of their own application file folder(s) as well as general patent information available to the public.

30. For all other customer support, please call the USPTO Call Center (UCC) at 800-786-9199. The USPTO's official fax number is 571-272-8300.

Art Unit: 2168

31. Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Dune Ly, whose telephone number is (571) 272-0716.

The examiner can normally be reached on Monday-Friday from 8 A.M. to 4 P.M.

32. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin, can be reached on (571) 272-4146.

C. Dune Ly *CDL*
Patent Examiner
2/24/06



TIM VO
PRIMARY EXAMINER